

October 29, 2019

## SUGGESTED TALKING POINTS TO COUNCIL REGARDING CODENEXT VERSION 4

### A rushed and unfair process

- Just like failed CodeNext Version 3, this CodeNext Version 4 is rushed and anti-democratic, with little meaningful input from the community.
- Mayor Adler seems to be under some compulsion to “just get this over with”. I ask him, “Why, Mayor? Does it have something to do with your transportation bond package that you will roll out for a vote in 2020? Or is it that you want to stifle public input?”
- Why can’t we have a deliberative process where all interests have a seat at the table, rather than a behind-closed-doors process dominated by special interests?
- Why doesn’t the Council just salvage what it can from this \$10 million mess and build on years and years of neighborhood planning as done in the past.
- We need a Consensus Code, not a Cram-down Code.

### “Affordability” propaganda

- For years, the real estate industry has engaged in a propaganda campaign based on the proposition that Austin can build its way to affordable housing. To disprove that nonsense, all we have to do is look around at the demolitions of modest, affordable housing being replaced by million-dollar luxury structures.
- Just recently, city officials admitted that the land code rewrite does not, will not, cannot, and was never intended or expected to create any significant amount of affordable housing.
- So, why does Mayor Alder keep saying the contrary?

### A redevelopment scheme favoring high-income newcomers

- The city has admitted that the maps are drawn by calculating the redevelopment potential of an area. The first step in redevelopment is removing people who live there now. What is the public good that comes from favoring high-income newcomers over people who have invested their lives in our communities?

### The more vulnerable will be the first pushed out

- The more vulnerable will be the first pushed out. This includes working families and older people on fixed incomes.
- As higher taxes are passed on by their landlords, many renters will be priced out of modest, older housing.
- Speculators have been buying up older rental housing in anticipation of CodeNext. These renters will be displaced quickly, and the housing units will some of the first demolished.

### Fake housing targets

- The City Council chooses to ignore the city demographer’s growth forecast, and it even fabricated a fake housing target based on the regional, instead of city, growth rate. To compound it even more, the Council decided to triple the fake housing need figure to come up with a housing capacity target of 400,000 units over 10 years. The demographer says the city needs around 80,000 units. What goes?
- The staff now says that they set the target so high because many people want to live here. So, is that a good reason for displacing us already here? And it’s nonsense for staff to argue that by mapping to such a target, they are somehow going to change the historic growth trend of 2% per year.

### Transition zone madness

- Transition zones will destroy my neighborhood. The demolitions won't stop with the two densest zones. The dominos will continue to fall as the multiplexes make life unacceptable to those who live here now.

### Mapping madness

- The Council told the staff to map density around, but not in, the activity centers. The staff did neither. Is this yet another scheme to push density to the urban core?
- The map is filled with examples of spot zoning, which I understand is illegal.

### This is not planning

- This is not planning. It is simply a way to put decisions about growth into the hands of speculators, taking these decisions away from both the city and citizens.
- Planning is what you do if you want to direct growth to certain areas where it is appropriate and at the will of both the city and citizens who have investments in maintaining appropriately compatible land uses in their area.
- This is deregulation. It gives redevelopers a free hand to pick and choose the most desirable sites for luxury housing, and the city gets nothing in return.
- This is not planning. It's a land grab.

### The folly of trying to force people out of their cars

- Supporters of CodeNext ignore the reality of our dependence on cars. No amount of social engineering will change that. Why make life uncomfortable, if not unlivable, for those of us who live here already based on some romantic vision that we will all start taking the bus or walking in 105-degree heat?

### More localized flooding

- Despite assurances from Mayor Adler that increases in allowed impervious cover will not increase flooding citywide, even the staff is addressing watersheds. But the staff very carefully says that comparing current allowed impervious cover to CodeNext's allowed impervious cover, there will be no significant increase. But they fail to mention the elephant in the room – current existing housing does not come close to using all of the allowance. But when current housing is demolished, builders will build to the max. Why has staff not addressed this?

### Higher taxes

- I'm a homeowner, and I believe that, despite what Mayor Adler is saying, increased entitlements through upzoning neighboring lots will raise my taxes. Everything I hear indicates that the Appraisal District uses investor-owned single-family rental properties as sales comps for homestead properties. Do you have any evidence to the contrary? The investor properties drive up land values based on speculation.
- In any event, rental properties and businesses will definitely see higher appraisals based on new highest and best use analysis. Renters in older units will be some of the first displaced.
- We don't need the capacity being mapped, so why raise taxes in the process? Or is it that higher tax revenue is part of a hidden agenda?

### Streets jammed with parked cars, and trash, recycle, and compost bins

- Do you realize the damage that will be done to our neighborhoods if no onsite parking is required for lots within ¼ mile of corridors and centers? It takes little or no imagination to visualize navigating a gauntlet of parked cars, oncoming traffic, pedestrians, and cyclists, all on a street that will work in the future only if designated as one-way.

- Where do residents find parking for their cars, their guests, and their service companies?
- Where do they place their trash, recycle, and compost bins?
- Has anyone consulted the Austin Fire Department about their ability to navigate fire trucks on jammed streets?

#### Unsafe for pedestrians and cyclists

- If no onsite parking is required within a ¼ mile of corridors and centers for streets that have adequate sidewalks, do you plan to look at each neighborhood street by street? How long will that take, and will you delay implementing the new rule until that review is done?
- Sidewalks are no help to cyclists. Have you consulted with experts as to the safety consequences of the ¼ mile rule to them?

#### Say goodbye to trees

- Increased FARs and impervious cover alone will result in reduction of our tree canopy.
- Even outside of transition zones, a 15-foot front setback will take out trees along with affordable demolished homes.

#### Stealth dorms, fraternity, and sorority houses all over the place

- Two city councils, in 2014 and 2016, successfully addressed the very serious problem in university areas caused by the demolition of affordable housing to be replaced by high-occupancy duplexes, sometimes called stealth dorms. It worked. Despite not having been given direction to do so, staff has proposed a citywide occupancy limit of 6 unrelated adults per dwelling unit. That's 12 in a duplex, 24 in a fourplex, and 36 in a six-plex! This is madness. Can you imagine the parked cars and solid waste bins on the streets? This is totally unworkable. Don't mess with one of the few good things Council has done in recent years to discourage the demolition of affordable housing. Leave the current occupancy rules in place.
- The proposed rules would allow fraternity and sorority houses all over the place. They need to be kept in West Campus where they belong.

#### Inadequate and ancient water infrastructure

- Have any of you looked at a cross-section of an 80-year old water pipe? It's encrusted with lime that restricts the flow. Adding density without upgrading water line infrastructure will likely reduce flow rates and possibly impair the ability of the fire department to fight fires.

#### Denial of protest rights

- We have a right under state law to protest proposed rezoning of our property and neighboring property, and if a certain percentage within 200 feet protest, the change requires in Austin the approval by 9 council members. The city says this law does not apply. Well, I have filed my protest, and I urge all property owners here to do the same. There is a website where you can do it easily. The courts will tell us who is right.

#### Three units citywide

- Almost every lot in the city that has a house more than 30 years old will be allowed three units. Most of my neighbors have no idea the degree of upzoning coming to them. Don't we have a say about this?

### Outrageous building heights, setbacks, FARs, and impervious cover rules

- I want to urge everyone to study the radical density proposals being made by the city, especially lot sizes, building heights, setbacks, floor-to-area ratios, and impervious cover rules. Any one of them in the hands of a developer next door can change your life.

### Bars aplenty

- Sometimes I think the city wants to become just one big entertainment theme park. Just take a look at the expansion of allowed uses to include bars, micro- breweries, and outdoor music venues. If allowed, the quality of life of residents will deteriorate.
- And these aren't the only new allowed uses in our neighborhoods. We need more time to dissect this massive document.

### Compatibility standards gutted

- Over the years, carefully crafted compatibility standards have worked well for neighborhoods along commercial corridors. Neighbors and current businesses generally have gotten along. Pressed by redevelopers who want our less costly land, CodeNext would take away most of these protections. This is grossly unjust to people who have relied on the current rules. The current rules work and should be kept.

### Short-term rentals deplete housing supply

- My understanding is that the draft code would allow more Type 3 short-term rentals. It would allow them to be 25% of all units in MU and MS zones. Type 3 STRs are no different than hotels, and it has become almost impossible for the city to enforce the rules for both licensed and unlicensed Type 3s. Setting aside all of the quality of life issues for neighbors, this is housing that could otherwise be used to address Austin's housing needs. What is the public policy behind this change?

### Neighborhood plans ignored

- CodeNext ignores neighborhood plans that have taken years and over \$10 million to develop. Future Land Use Maps lay out the vision of neighborhoods with plans, and given sufficient resources dedicated by the city, the process will continue to produce good results of density integrated carefully within an area of traditional neighborhoods and with a respectful plan for their shared longevity. We need to go back to this approach to land planning – an approach where all interests are at the table.

### Goodbye to families with children; Goodnight, Austin

- Owner-occupied houses are being demolished and replaced with multi-unit rentals for singles. Families with children are leaving Austin Independent School District.
- Last year, the Council ignored the unanimous resolution of the AISD School Board to implement policies to lessen the negative impact of CodeNext. I'm afraid the same thing will happen this time.
- We have an emotional and financial investment in our homes and neighborhoods – this Code process should not be rushed. Why can't you take your time and get this right?